

TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904 Telephone: (207) 475-1329 Fax: (207) 439-6806

April 25, 2016

Council Chambers

Kittery Town Council Regular Meeting 7:00 p.m.

- 1. Call to Order
- 2. Introductory
- 3. Pledge of Allegiance
- Roll Call
- 5. Agenda Amendment and Adoption
- 6. Town Manager's Report
- 7. Acceptance of Previous Minutes None
- 8. Interviews for the Board of Appeals and Planning None
- 9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials. **None**

10. PUBLIC HEARINGS

a. (040216-1) The Kittery Town Council moves to hold a public hearing in accordance with 6.11 (2) of the Kittery Town Charter to approve the extension of the MRI contract for Carol Granfield, Interim Town Manager, to expire upon the appointment of a new Town Manager. **This item is on the agenda at the request of Chairperson Beers.**

b. (040216-2) The Kittery Town Council moves to hold a public hearing in accordance with 6.11 (2) of the Kittery Town Charter, to ordain a multi-year contract with Tyler Technologies for accounting software from May 1, 2016 through April 30, 2019 and to award an alternative procurement method to enter in to a multi-year contract with Tyler Technologies. **Enclosed in your packet is a copy of the proposed pricing contract.**

c. (400216-3) The Kittery Town Council moves to hold a public hearing in accordance with 6.09 (4) of the Kittery Town Charter, to transfer \$20,000 from Administration account #101110-65480 Other Professional Services, to a special revenue fund account to be established by the Finance Director. **Enclosed in your packet is a memo from the Finance Director requesting this item.**

11. DISCUSSION

- a. Discussion by members of the public (three minutes per person)
- b. Response to public comment directed to a particular Councilor
- c. Chairperson's response to public comments

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition None
- b. (040216-4) The Kittery Town Council moves to approve the disbursement warrants.
- c. (040216-5) The Kittery Town Council moves to read and sign a proclamation of congratulations and acknowledgement of Kittery's oldest resident, Ellen M. Tufts, as being named the recipient of the Boston Post Cane. Enclosed in your packet is a copy of the proclamation for Council to sign and that will be read and presented to the recipient at the ceremony.
- d. (040216-6) The Kittery Town Council moves to approve a renewal application from Sonmat, Inc., 7 Wallingford Square, Unit 102, Kittery, ME for a Malt, Spirituous and Vinous Liquor License for Anju Noodle Bar, 7 Wallingford Square, Unit 102. The Code Enforcement Officer has conducted the inspection and the establishment is in compliance with the Town Code.
- e. (040216-7) The Kittery Town Council moves to approve a renewal application from John K. Reed, 139 Cass Street, Portsmouth, NH, for a Malt, Spirituous and Vinous Liquor License for The Corner Pub, 4 Wallingford Square. The Code Enforcement Officer has conducted the inspection and the establishment is in compliance with the Town Code.
- f. (040216-8) The Kittery Town Council moves to extend the appointment of Carol Granfield's appointment as Interim Town Manager until a new Town Manager is appointed. **This item is on the agenda at the request of Chairperson Beers.**
- g. (040216-9) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Conservation Commission to interview Anne Formalarie for her appointment to that board as an associate member until 12/31/19. **Enclosed in your packet is a copy of the application for appointment.**
- h. (040216-10) The Kittery Town Council moves to accept the resignation from Deborah Lynch from the Planning Board. **Enclosed in your packet is a copy of the resignation letter.**
- i. (040216-11) The Kittery Town Council moves to approve a request from Kittery/Eliot VFW Memorial Post 9394 to hold the Memorial Day Parade and Ceremonies on Sat., May 28th beginning at 9:00 a.m. on Walker Street. **Enclosed in your packet is a copy of the request for the parade.**
- j. (040216-12) The Kittery Town Council moves to authorize the Rice Public Library to use the Fort Foster facility (baseball field) on Tuesday, August 30, 2016 and to extend their hours until 9:30 p.m. to show an outdoor movie for the closing celebration of their Summer Reading Program. **Enclosed in your packet is a copy of the request.**
- k. (040216-13) The Kittery Town Council moves to discuss and take action on the process for hiring a new Town Manager. This item is on the agenda at the request of the Interim Town Manager through the Chair.
- 14. COUNCILOR ISSUES OR COMMENTS
- 15. COMMITTEE AND OTHER REPORTS
 - a. Communications from the Chairperson
 - b. Committee Reports
- 16. EXECUTIVE SESSION
- 17. ADJOURNMENT

Posted: April 28, 2016



Carol M. Granfield Interim Town Manager

TOWN OF KITTERY

Office of the Town Manager 200 Rogers Road, Kittery, ME 03904 Telephone: 207-475-1329 Fax: 207-439-6806

cgranfield@kitteryme.org

Town Manager's Report to the Town Council April 25, 2016

- 1. Portsmouth Naval Shipyard Traffic We have been in discussion with PNSY regarding traffic changes at Gates 1 and 2. We have had a MOU pertaining to Gate 2 whereby the Police Chief appointed a Special Traffic Patrol Officer to direct vehicle and pedestrian for the Town under special appointment. PNSY legal has expressed a concern over this and stopped the practice. We are scheduled to meet with PNSY next week to discuss. In the meantime the Chief is monitoring traffic and will address any issues.
- 2. Dispatch Following an additional review of adding services for dispatch to the communities of Berwick and South Berwick, I have determined that at this time, the addition of South Berwick would not be financially feasible for Kittery and have advised them of this. I am now in the process of preparing agreements to add Berwick and update the current agreement with Eliot. I will keep you advised of the progress and if Berwick decides to join
- 3. Japanese Visitors I will provide an updated report on the activities the Town has been involved it with this exchange group. We had scheduled Town Council and our Department Heads to participate and welcome both when the group arrives, welcome and presentation at Shapleigh School and conclude with a special luncheon at the KCC.
- 4. **Budget** We are continuing work on the budget and hope to have enough updated information to present the Budget on the current target date of May 9.
- 5. **Town Council Training Session** The Facilitator has provided everyone with a few questions to answer anonymously that will be of assistance in planning the upcoming training.
- 6. **Grants** Correction At the last Town Council meeting I am reported that we were awarded two grants from Maine Department of Environmental Projection, each in the amount of \$78,155. The grants are for Stream Crossing Public Infrastructure Improvement Projects for culverts on Payne Road. We have not yet been awarded the grants but have submitted the grant requests.
- 7. Cable I have been meeting with Randy Buccini regarding some work to be done to the facility we have here to televise meetings. I have been in contact with Comcast regarding the possibility of adding a public access channel also. In the meantime we hope to continue to add some additional programs on Channel 22 and I am also looking at the space to be used in the KCC to have a small studio there.

Respectfully Submitted,

Carol

Carol M. Granfield

120 Daniel Webster Highway Meredith, NH 03253



tel: 603.279.0352 · fax: 603.279.2548 toll free: 866.501.0352

April 20, 2016

Carol Granfield, Interim Town Manager Town of Kittery 200 Rogers Road Kittery, ME 03904 (207) 439-0452

Re:

<u>Professional Services Agreement – Assessing Services</u>

Dear Ms. Granfield:

Pursuant to your request, this letter will serve as a Supplement to the Agreement for Interim Town Manager Services dated March 10, 2016, by replacing language in Section 2 of the agreement:

ADDENDUM TO EXISTING AGREEMENT

2) Dates of performance

Replace with the following language:

"The Contractor shall provide these services from July 1, 2016 until a permanent Town Manager has been appointed."

If you find this satisfactory, please sign and date this letter, and return to Municipal Resources, Inc. Thank you for the opportunity to be of service to the Town of Kittery.

Approved for the Town of Kittery, ME by its Interim Town Manager:

Alan S. Gould Carol Granfield, Interim Town Manager

Date:

Date:



Quoted By: Jennifer Barns

Date: Quote Expiration: 9/13/2016 3/17/2016

Quote Name: Town of Kittery - ERP - SaaS Renewal

Quote Number: 2016-19004

Quote Description: Town of Kittery - ERP - SaaS Renewal

Sales Quotation For

Town of Kittery

200 Rogers Road Ext.P. O. Box 808

Kittery, Maine 03904

Phone (207) 439-0452

SaaS

Description	Annual Fee Net	# Years	Total SaaS Fee	lmpl. Days
Financials:				
Accounting/GL/BG/AP	\$6,368.00	3.0	\$19,104.00	0
Fixed Assets	\$2,043.00	3.0	\$6,129.00	0
Project & Grant Accounting	\$1,247.00	3.0	\$3,741.00	0
Purchase Orders	\$1,799.00	3.0	\$5,397.00	0
Requisitions	\$1,124.00	3.0	\$3,372.00	0
Payroll/HR:				
HR Management	\$3,147.00	3.0	\$9,441.00	0
Payroll	\$7,390.00	3.0	\$22,170.00	0
Revenue:				
Accounts Receivable	\$2,065.00	3.0	\$6,195.00	0
CAMA Bridge	\$1,691.00	3.0	\$5,073.00	0
ME Tax Lien	\$2,633.00	3.0	\$7,899.00	0
Tax Billing	\$7,414.00	3.0	\$22,242.00	0
Utility Billing	\$6,550.00	3.0	\$19,650.00	0

Productivity:

	Concurrent Users (16)	Other:	Munis Office	MUNIS Crystal Reports	Employee Self Service
TOTAL:					
\$66,221.00	\$16,000.00		\$1,248.00	\$2,163.00	\$3,339.00
	3.0		3.0	3.0	3.0
\$198,663.00	\$48,000.00		\$3,744.00	\$6,489.00	\$10,017.00
0	0		0	0	0

Summary	One Time Fees	Recurring Fees
Total SaaS	\$0.00	\$66,221.00
Total Tyler Software	\$0.00	\$0.00
Total Tyler Services	\$0.00	\$0.00
Total 3rd Party Hardware, Software and	\$0.00	\$0.00
Services		
Summary Total	\$0.00	\$66,221.00
Contract Total	\$198,663.00	

for Six (6) months from the Quote date or the Effective Date of the Contract, whichever is later. Unless otherwise indicated in the contract or Amendment thereto, pricing for optional items will be held

Print Name:	Customer Approval:
P.O. #:	Date:

All primary values quoted in US Dollars

Comment

who sell SSL Certificates, with all ranges of prices. hosted by the Client. This certificate is required to encrypt the highly sensitive payroll and financial information as it travels across the public internet. There are various vendors Tyler recommends the use of a 128-bit SSL Security Certificate for any Internet Web Applications, such as the MUNIS Web Client and the MUNIS Self Service applications if

depends on such factors as your level of involvement in the project and the speed of knowledge transfer Tyler's quote contains estimates of the amount of services needed, based on our preliminary understanding of the size and scope of your project. The actual amount of services

Unless otherwise noted, prices submitted in the quote do not include travel expenses incurred in accordance with Tyler's then-current Business Travel Policy

Tyler's prices do not include applicable local, city or federal sales, use excise, personal property or other similar taxes or duties, which you are responsible for determining and

daily fees associated with the cancelled services if Tyler is unable to re-assign its personnel In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii)

of the initial training can thereafter train the remaining users. class is needed, Tyler will either provide additional days at then-current rates for training or Tyler will utilize a Train-the-Trainer approach whereby the client designated attendees Tyler provides onsite training for a maximum of 12 people per class. In the event that more than 12 users wish to participate in a training class or more than one occurrence of a

right to adjust prices accordingly Tyler's cost is based on all of the proposed products and services being obtained from Tyler. Should significant portions of the products or services be deleted, Tyler reserves the

resulting changes in the pricing categories The SaaS fees are based on 16 concurrent users. Should the number of concurrent users be exceeded, Tyler reserves the right to re-negotiate the SaaS fees based upon any

notwithstanding anything in the Agreement to the contrary, payment for said items, as applicable, shall conform to the following conditions: Client agrees that items in this sales quotation are, upon Client's signature of same, hereby added to the Agreement between the parties, and subject to its terms. Additionally, and

- License fees for Tyler and 3rd Party Software products are due when Tyler makes such software available for download by the Client;
- Fees for hardware are payable upon delivery;
- SaaS fees are payable on a quarterly basis, in advance, beginning with the first quarterly payment due pursuant to the Agreement following the date on which the Client signed the sales quotation; and
- Billing terms: 5/1/16 4/30/19 Unless otherwise indicated, fees for services are payable as delivered, and expenses are payable as incurred

Memorandum

TO: Maryann Place, Town Clerk

FROM: Cindy L. Saklad, Finance Director

DATE: April 4, 2016

RE: Unencumbered Appropriation Transfer per Charter Section. 6.09 (4)

Section 6.09 (4) of the Town Charter allows for the transfer by Council of all or a part of any unencumbered appropriation balance from one department, office or agency to another at any time during the fiscal year or within 60 days (as amended).

The FY15 budget adopted by Council on June 23, 2014 contained an appropriation of \$20,000 in the Administration Budget for consulting services associated with filing an appeal to FEMA regarding the revised Flood Insurance Rate Maps (Account 101110-65480 – Other Professional Services). The funds were not expended in FY2015 and approved by motion to carry forward to the FY2016 Budget at their August 24, 2015 meeting.

The funds remain unexpended but are still necessary to resolve future appeals. To ensure the availability of these funds when needed, Finance Director requests the Town Council to approve:

• A transfer of \$20,000 from Account 101110-65480 to the Flood Insurance Rate Maps Appeal account to be established.

PROCLAMATION

WHEREAS Ellen M. Tufts, of 143 Rogers Road, celebrated her 104th birthday on January 28, 2016; and

WHEREAS we believe Ellen M. Tufts is the oldest resident in the Town of Kittery; and

WHEREAS the Town of Kittery has in its possession a gold-headed ebony cane which was originally sent to this town in 1909 by the now defunct Boston Post newspaper for recognition of its oldest citizen; and

WHEREAS this cane is now an antique and kept on display in a glass case at the Kittery Municipal Offices for safekeeping;

NOW THEREFORE, we, the Kittery Town Council wish to express our congratulations to Ellen M. Tufts by extending to her this certificate of recognition and achievement.

Dated at Kittery, Maine this 25th day of April, 2016.

KITTERY TOWN COUNCIL
KITTERY TOWN COUNCIL

Department of Public Safety Liquor Licensing & Inspection Division

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.



BUREAU USE ONI	LY
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES 5.16

	9			
INDICATE TYPE OF PRIVILEGE: ✓ MALT ✓ SPI	irituous √vinous			
INDICATE TY	PE OF LICENSE:			
RESTAURANT (Class I,II,III,IV)	RESTAURANT/LOUNGE (Class XI)			
☐ HOTEL-OPTINONAL FOOD (Class I-A)	□ HOTEL (Class I,II,III,IV)			
□ CLASS A LOUNGE (Class X)	☐ CLUB-ON PREMISE CATERING (Class I)			
□ CLUB (Class V)	☐ GOLF CLUB (Class I,II,III,IV)			
□ TAVERN (Class IV)	OTHER:			
REFER TO PAGE 3	FOR FEE SCHEDULE			
ALL QUESTIONS MUST BE ANSWERED IN FULL				
1. APPLICANT(S),-(Sole Proprietor, Corporation, Limited Liability Co.,	2. Business Name (D/B/A)			
etc.) Sonner, Inc. DOB:	ANSU noodle Bar			
DOB:				
	Location (Street Address)			
NOB-	+ Willington Se unit 102			
Address 1 sallmeterd Laure	City/Town State Zip Code			
# 102	Mailing Address			
City/Town Kitter State Zip Code 03903	City/Town State Zip Code			
Telephone Number / Fax Number	Business Telephone Number 207-703-4297 Fax Number			
Federal I.D. # 46-5024965	Seller Certificate # 1168748			
3. If premises is a hotel, indicate number of rooms available	for transient guests:O			
4. State amount of gross income from period of last license: ROOMS \$ _O FOOD \$ 532/05 LIQUOR \$ 361,900				
5. Is applicant a corporation, limited liability company or limited partnership? YESU NO				
If YES, complete Supplementary Questionnaire				
6. Do you permit dancing or entertainment on the licensed premises? YES \(\sqrt{NO} \)				
7. If manager is to be employed, give name:				
8. If business is NEW or under new ownership, indicate starti	ing date:			
Requested inspection date: Bus	siness hours:			
9. Business records are located at: 7 wallinger	Sy unit loz Kitry ME 03901			
10. Is/are applicants(s) citizens of the United States?	YES NO 🗆			
11. Is/are applicant(s) residents of the State of Maine?	YES □ NO 🛩			
164 State House Station	Augusta Me 04333-0164 Fax: 207-287-3424 OnPremiseApp.doc / 200			

12. List name, date of birth, and place of birth for all applicants, Use a separate sheet of paper if necessary.	managers, and bar managers. C	Give maiden name, if married:		
Name in Full (Print Clearly)	DOB	Place of Birth		
		Dover, N. H		
Dollar Armstram 9-25-1980 Duer, NH Michael Pazzaro 8-16-1978 Ereter, NH				
Jary Scott 6:36:1983 Soel kinea				
Residence address on all of the above for previous 5 years (Lim	nit answer to city & state	3001, 1000		
Le Hailed				
13. Has/have applicant(s) or manager ever been convicted of any of any State of the United States? YES ✓ NO □ Name: ✓ ✓ 🎝 🖟 🗸				
Offense: Location:				
Disposition:				
14. Will any law enforcement official benefit financially either divided Yes □ No ✓ If Yes, give name:	irectly or indirectly in your lice	nse, if issued?		
15. Has/have applicant(s) formerly held a Maine liquor license?	YES NO 🗆			
16. Does/do applicant(s) own the premises? Yes \(\text{No } \text{P} \) Milhael 2d garler 315 \(\text{S} \)	If No give name and address of	owner:		
17. Describe in detail the premises to be licensed: (Supplemental Loom College Les Dant and	Diagram Required) 714610	Hoes two		
18. Does/do applicant(s) have all the necessary permits required by YES № NO □ Applied for:	by the State Department of Hun	nan Services?		
19. What is the distance from the premises to the NEAREST sch measured from the main entrance of the premises to the main or parish house by the ordinary course of travel?	entrance of the school, school of	formitory, church, chapel		
20. Have you received any assistance financially or otherwise (in self in the establishment of your business? YES ☑ NO	cluding any mortgages) from ar			
The Division of Liquor Licensing & Inspection is hereby authori pertaining to the business, for which this liquor license is request in which any liquor license is in effect. NOTE: "I understand that false statements made on this form a tion on this form is a Class D offense under the Criminal Code, I fine of up to \$2,000 or both."	zed to obtain and examine all be ted, and also such books, record are punishable by law. Knowin	ds and returns during the year agly supplying false informa-		
Dated at: KILLY ME on _	3-31 Date	20 16		
Please sign in blu	ue ink			
Signature of Applicant or Corporate Officer(s)	Signature of Applicant	or Corporate Officer(s)		
Print Name	Print 1	Name		

GARY SCOTT ADDRESSES

1001 ISLINGTON ST. PORTSMOUTH, NH 03801

12 DAME ST. UNIT 4 KITTERY, ME 03904

32 GOVERNMENT ST KITTERY, ME 03904

156B STATE RD. KITTERY, ME

MICHAEL PAZDON ADDRESSES

163 Dame Road Durham, NH 03824

529 Franklin St Apt # 2 Napa, CA 94559

1123 Mitzi Drive Calistoga, CA 94515

JULIAN ARMSTRONG ADDRESSES

30 B GOVERNMENT STREET, KITTERY ME 03904

133 PEPPERRELL RD, KITTERY POINT, ME 03905

1217 OCEAN BLVD. RYE, NH 03870

MAINE DEPT OF PUBLIC SAFETY

STATE OF MAINE

Liquor Licensing & Inspection Division

164 State House Station Augusta ME 04333-0164

Tel: (207) 624-7220 Fax: (207) 287-3424



SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES, AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: Business D/B/A Name:	Sonnat. Inc.					
	5/1/14					
	1.7					
3. State in which you are incorp						
4. If not a Maine Corporation, of State of Maine:	date corporation was author		siness within t	he		
5. List the name and addresses of stock owned:	for previous 5 years, birth	dates, titles of office	ers, directors a	and list the	percent	
	Print Cle		Birth	% of]
Name	Address Previo	ous 5 years	Date	Stock	Title	
Whan Almstrany			9-25-21	40	Resident	hermer
Michael Pazdon			8 161978	30	6	
Gany Scott			6-30-83	30	VP	
,						1
6. What is the amount of authorized stock? Outstanding Stock? O						
7. Is any principal officer of the corporation a law enforcement official? Yes \(\square\) No \(\sqrt{\sq}}}}}}}}}} \end{\sqrt{\sq}}}}}}}}}}}}} \end{\sqrt{\sqrt{\sqrt{\sqrt{\sqrt{\sqrt{\sqrt{\sqrt{\sqrt{\sqrt{\sqrt{\sqrt{\sqrt{\sq}}}}}}}}}} \end{\sqit{\sq}\sqrt{\sqrt{\sin}}}}}}}}} \end{\sqrt{\sqrt{\sqrt{\sign}}}}}}} \eni						
8. Has applicant(s) or manager violations, of the United State	ever been convicted of anges? Yes V No	y violation of the lav	v, other than r	minor traffi	с	
9. If YES, please complete the	following: Name: 500	April	4			
Date of Conviction:		Offense:				
		Disposition:				
Dated at:		On:				
C	,			Date		
	Annual annual process, Class		2/10/	F		
Signature of Duly Autho	rized Officer	-		/ 6	-	
3 dias Acusto	A 5		Di			
Print Name of Duly Author	orized Officer					
			Cuma Ou and	CarCam day / 2/	002	

SuppQuestForCorp.doc / 2003

On Aug 2^{nd} , 2005 Julian Armstrong pleaded guilty of 2 misdemeanor chargers at the Rockingham County Community Superior Court for a transgression happening on Sept. 27th 2004.

Theft by unauthorized taking: 12 months sentencing all suspended. Restitution. 100 hours community service.

Criminal Trespassing: 6 months sentencing all suspended. Restitution. \$500

Explanation of questions 7, 8 & 9 on form 912 for Gary A. Scott:

May 5^{th} , 2000 Gary A. Scott was charged with unlawful possession of tobacco at the age of 17. Restitution.

On September 16th, 2006 Gary A. Scott was arrested for driving after revocation and appeared at Portsmouth District Court on October 23rd, 2006 and plea guilty. Paid restitution of \$120.

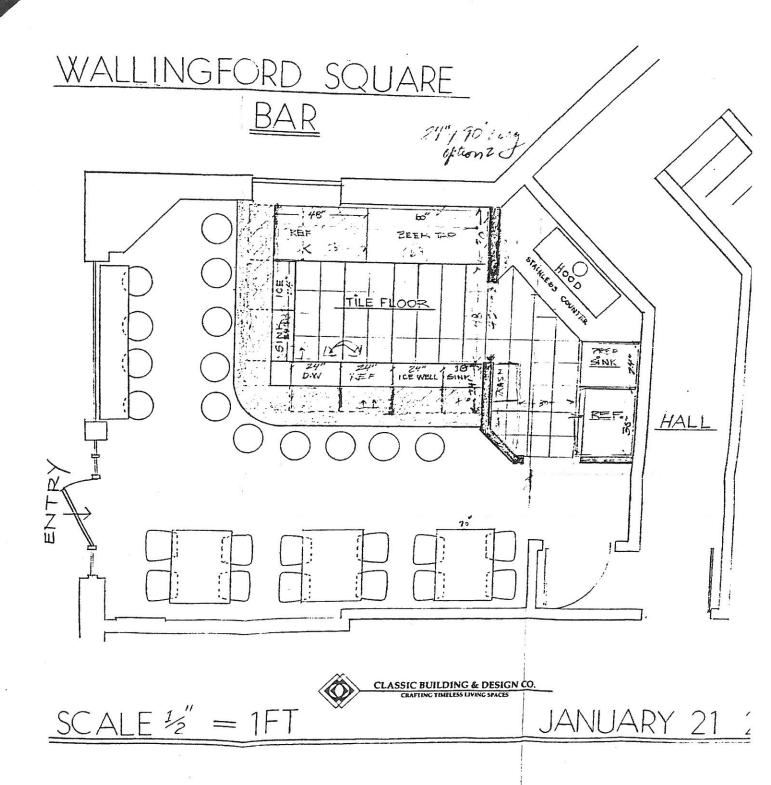
On November 9th, 2006 Gary A. Scott was arrested for driving after suspension in Dover and appeared in court on April 3rd, 2007. Plead guilty and paid \$600 in restitution with a 30-day suspension of drivers license along with 2 year god behavior probation.

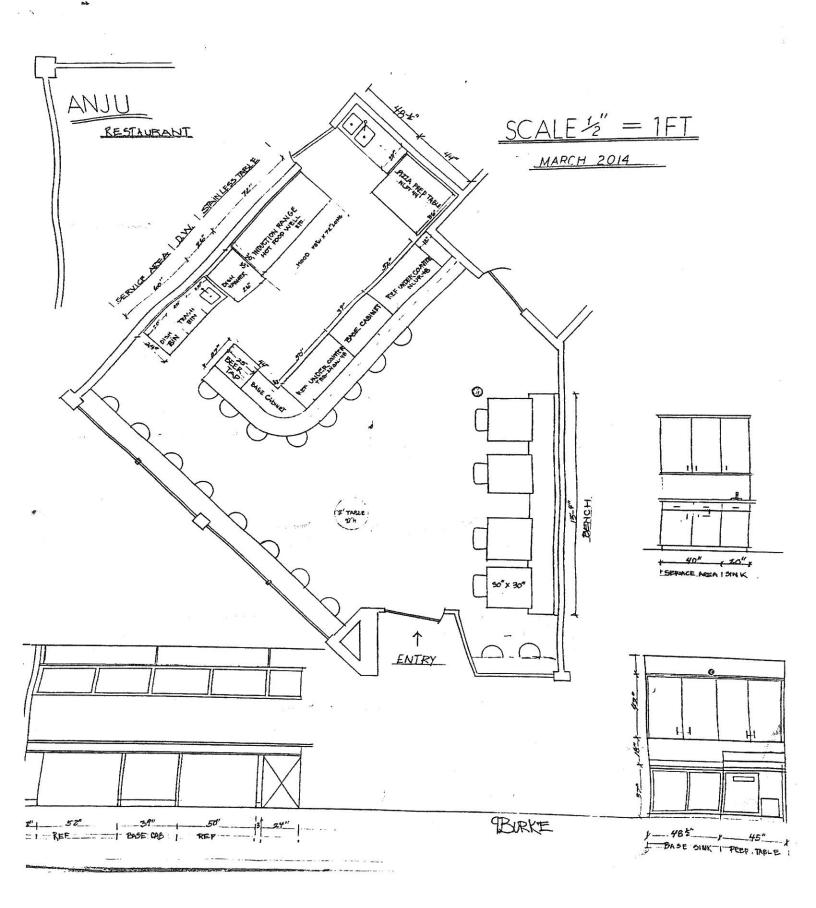
Michael Jack Pazdon criminal history.

On November 2nd, 2011, in the county court of Napa, California, Michael Jack Pazdon plead guilty to one misdemeanor charge of driving under the influence for an incident occurring on August 26th of the same year. He was sentenced to 9 days of community service, 9 months of driver education classes, 5 months of limited probation and \$2359.00 in fines, all of which was served/paid.

In July, 2007 (approximate date), Michael Jack Pazdon received a summons to appear in court in Durham, New York, for a charge of Criminal Trespassing. The charges were moved to pre-trial diversion for a period of one year and then dismissed.

In 1998, Michael Jack Pazdon was charged and fined for driving with an expired license in Exeter, New Hampshire.





STATE OF MAINE

Dated at:	, N	Maine	SS
On:	City/Town	(County)	
D	ate		
The undersigned being:	☐ Municipal Officers	☐ County Commissioners	of the
□ City □ Town □	Plantation Unincorporated I	Place of:	, Maine
Hereby certify that we have Maine Revised Statutes and	e given public notice on this application therby approve said application.	on and held public hearing thereon as required by	by Section 653 Title 28A,
	THIS APPROVAL	EXPIRERS IN 60 DAVS	

THIS APPROVAL EXPIRERS IN 60 DAY

NOTICE - SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

141

- 1. Hearing. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new onpremise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
- 2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c730, §27 (amd).]

- 3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
- 4. No license to person who moved to obtain a license. (REPEALED)
- (TEXT EFFECTIVE 3/15/01) Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section
 may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

1/25

BUREAU OF ALCOHOLIC BEVERAGES DIVISION OF LIQUOR LICENSING & ENFORCEMENT 8 STATE HOUSE STATION AUGUSTA, ME 04333-0008

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.



DEPARTMENT USE O	NLY
LICENSE NUMBER:	CLASS
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

ent in an establishment that now is, or may be,	DEPOSIT DATE				
tended by a liquor license.	AMT. DEPOSITED: BY:				
	CK/MO/CASH:				
PRESENT LICENSE EXPIRES 5 - 15 - 16 INDICATE TYPE OF PRIVILEGE: WMALT SPIRITUOUS VINOUS					
Silidi	2 111003				
	TYPE OF LICENSE:				
ं RESTAURANT (Class I,II,III,IV)	RESTAURANT/LOUNGE (Class XI)				
HOTEL-OPTINONAL FOOD (Class I-A)	HOTEL (Class I,II,III,IV)				
CLASS A LOUNGE (Class X)	CLUB-ON PREMISE CATERING (Class I)				
CLUB (Class V)	GOLF CLUB (Class I,II,III,IV)				
TAVERN (Class IV)	other:				
REFER TO PAG	E 3 FOR FEE SCHEDULE				
ALL QUESTIONS M	UST BE ANSWERED IN FULL				
1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited	2. Business Name (D/B/A)				
Liability Co., etc.) John K. Reed DOB: 7-26-56	The Corner Pub				
DOB:					
DOB:	Location (Street Address) 4 Walling ford S&				
Address 139 Cass Street	City/Town State Zin Code				
	Mailing Address (Same as about)				
City/Town State Zip Code NH 03801	City/Town State Zip Code				
Telephone Number Fax Number	Business Telephone Number Fax Number				
Federal I.D. # 01-050 7958	207 - 438-8822 Seller Certificate # 4303				
EMAIL ADDRESS: spr pub is @ gmail, com					
3. If premises is a hotel, indicate number of rooms available for tra	nsient guests:				
4. State amount of gross income from period of last license: ROOM					
5. Is applicant a corporation, limited liability company or limited p	artnership? YES & NO				
If YES, complete Supplementary Questionnaire	TDS = 110 =				

6. Do you permit dancing or entertainment on the licensed premises? YES & NO	ق						
7. If manager is to be employed, give name:		10 t _ 55					
8. If business is NEW or under new ownership, indicate starting date:							
Requested inspection date: Business hours: 10.30 Lm-	- 1:00 Am						
9. Business records are located at: 10. Is/are applicants(s) citizens of the United States? 11. Is/are applicant(s) residents of the State of Maine? YES INO							
					12. List name, date of birth, and place of birth for all applicants, managers, and b Use a separate sheet of paper if necessary.	ar managers. Give	maiden name, if married:
					Name in Full (Print Clearly)	DOB	Place of Birth
John Kenneth Reed	7-26-56	BICCERTOR ME					
Posidonae addrags on all of the above for provious 5 years (Limit engager to	ity & state						
Residence address on all of the above for previous 5 years (Limit answer to compare the smooth NH							
Name: John Reed Date of Offense: Assemble Location: Disposition: Cruelly 14. Will any law enforcement official benefit financially either directly in your lyes in No if Yes, give name: 15. Has/have applicant(s) formerly held a Maine liquor license? YES in No if No give name Dest Really 23 Random Re Becker HH 17. Describe in detail the premises to be licensed: (Supplemental Diagram Requiremental Diagram Requirem	icense, if issued? and address of ow	ner:					
18. Does/do applicant(s) have all the necessary permits required by the State Dep YES NO Applied for:							
125 - 110 - Applied for:							
	school, school dor	mitory, church, chapel					
19. What is the distance from the premises to the NEAREST school, school dorn measured from the main entrance of the premises to the main entrance of the	school, school dorabove is nearest?	mitory, church, chapel					

MAINE DEPT OF PUBLIC SAFETY

STATE OF MAINE

Liquor Licensing & Inspection Division

164 State House Station Augusta ME 04333-0164

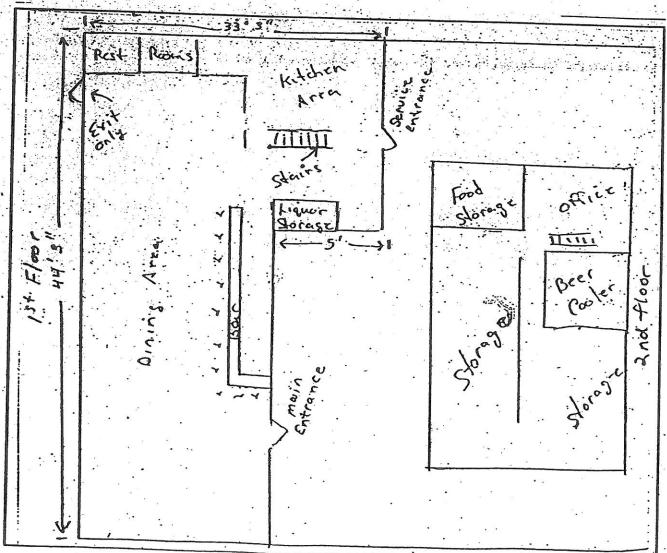
Tel: (207) 624-7220 Fax: (207) 287-3424



SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Liquor Licensing & Inspection Division is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.



The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns partial to the business, for which this liquor license is requested, and also such books, records and returns during the year in whi any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up \$2,000 or both."

Dated at: Kittery 1718 on	<u>4-4-</u> , 20 <u>16</u>
Please sign in blue	e ink
Signature of Applicant or Corporate Officer(s)	Signature of Applicant or Corporate Officer(s)
John K. Reed	
Print Name	Print Name

NOTICE - SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituous, Vinous and Malt	
Class I-A	Spirituous, Vinous and Malt, Optional Food (Hotels Only)	,100.00
Class II	Spirituous Only\$ CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	550.00
Class III	Vinous Only CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	220.00
Class IV	Malt Liquor Only\$ CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	220.00
Class V	Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)\$ CLASS V: Clubs without catering privileges.	495.00
Class X	Spirituous, Vinous and Malt – Class A Lounge \$2. CLASS X: Class A Lounge	,200.00
Class XI	Spirituous, Vinous and Malt – Restaurant Lounge	,500.00

FILING FEE	\$	10.00
UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. territories shall submit along with their application evidence of payment to the County Treasurer.	All applicants	in unorganize
All fees must accompany application, made payable to the Treasurer of Maine. This application to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enfor Augusta ME 04333-0008. Payments by check subject to penalty provided by Title 28A, MRS, Sec	cement, 8 State	eted and maile House Station

STATE OF MAINE

Dated at:	, N	Maine	SS
On:	own	(County)	55
Date			
The undersigned being:	Municipal Officers ٹ	County Commissioners ف	of the
Plan ف City ف City	tation 🕹 Unincorporated	Place of:	, Maine
Hereby certify that we have given Revised Statutes and herby appro-	public notice on this application ve said application.	on and held public hearing thereon as requi	red by Section 653 Title 28A, Mai
	THIS APPROV	AL EXPIRERS IN 60 DAYS	
§ 653. Hearings; bureau review; ap	NOTICE - S	SPECIAL ATTENTION	

1. Hearing. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existi on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]

- B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before t date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the do of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).
- C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise cense, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renew The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renew with 120 days of the filing of the application. [1999, c589, §1 (amd).]
- 2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision a provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]

- B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquid control; [1987, c.45, Pt.A§4(new).]
- C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicin of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by person patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses resing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
- D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the censed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]

E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of setion 601. [1989, c.592, §4 (new).]

[1993, c730, §27 (amd).]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the treau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirement and findings referred to in subsection 2.

A. [1993, c.730, §27 (rp).]

4. No license to person who moved to obtain a license. (REPEALED)

5. (TEXT EFFECTIVE 3/15/01) Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section m appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of t appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

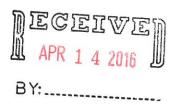


TOWN OF KITTERY, MAINE APR 1 2 2016

200 Rogers Road, Kittery, ME 03904 Telephone: (207) 475-1328 Fax: (207) 439-6806

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Anne Formalarie		
RESIDENCE: 24 Whippoorwill Lane Kit	tery ME 03904	
MAILING (if different)		
E-MAIL ADDRESS: anne_formalarie@yahoo.com	PHONE #: (Mobile) 603-320-0186	
Please check your choices and list in order o	of priority by marking 1,2,3, etc.:	
☐ Board of Appeals	☐ Board of Assessment Review	
1□ Conservation Commission	☐ Mary Safford Wildes Trust	
Comprehensive Plan Update Committee	☐ Shellfish Conservation Committee	
☐ Education Scholarship Committee	☐ Economic Development Committee	
☐ Parks Commission	□ Open Space Committee	
□ Port Authority	□ Planning Board	
☐ Personnel Board	Other	
EDUCATION/TRAINING: <u>BA, MBA, and M.Ed</u>		
RELATED EXPERIENCE (Including other Boards	and Commissions) Waterville Estates Board	
<u>of Directors (11 years, 8 years as secretary, Trails le</u>	ad), Waterville Estates Village District Moderator	
<u>(2 years), Water Sampling Project – Hudson NH (3</u>	years), Appalachian Mountain Club (over 10	
years), New England Disabled Sports (5 years)		
PRESENT EMPLOYMENT: <u>UNH and Plymouth State (teaching lecturer)</u> , IT Consultant		
ARE YOU A REGISTERED VOTER OF THE TOWN	N OF KITTERY x□ <u>Yes</u> □ No	
ANY KNOWN CONFLICT OF INTEREST (please read back of application):none		
REASON FOR APPLICATION TO THIS ROARD.	Learn yary much about Vittom, the	
REASON FOR APPLICATION TO THIS BOARD: <u>I care very much about Kittery, the</u> environment, and see incredible value in preserving it. I have more time available and want to		
become involved. I attended the April 7 meeting where it was suggested that I apply.		
with the state of	rere it was suggested that I apply.	
HAVE/HAVE NOT _X_ ATTENDED AT LEAST TWO M IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, I	EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL	
ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED. Please read the back of this application before signing.		
i loase read the back of this	application before signing.	
Cath	<u>H-12-16</u>	
SIGNATURE OF APPLICANT	<u>H-13-16</u> DATE	



Deborah Lynch Mailing Address: PO Box 922 Rye, NH 03870

April 14, 2016

Chris DeMatteo & Ann Grinell Kittery Planning Board 200 Rogers Road Kittery, ME 03904

Dear Chris DeMatteo & Ann Grinell:

The recent growth of my commercial real estate business has my time and travel in high demand. I struggle with the necessary time needed to read, review and prepare for the bi-monthly meetings. It is difficult for me to attend the "much needed" site walks and additional joint meetings with the town council and other town boards.

It is with regret that I tender my resignation from the Kittery Planning Board, effective immediately.

I am grateful for having had the opportunity to serve on the board of Kittery for the past few months, and I offer my best wishes for its continued success.

Sincerely,

X Deborah J. Synch
Deborah Lynch

of the VETERANS OF FOREIGN WARS

15 April 2016

Kittery Town Council % Town Manager 200 Rogers Road Kittery, Me. 03904

Dear Council members:

The officers and members of Kittery/Eliot Memorial Post 9394 formally request your permission to hold our Memorial Day parade and ceremonies on 28 May 2016.

We will step off at 0900 hours from Walker Street, turn left onto Wentworth Street, right onto Whipple Road, left onto Shapleigh Road, passing the reviewing stand in front of Ace Hardware and onto Orchard Grove cemetery for our final ceremonies.

At this time we invite all town officials to join us either on Walker St. no later than 0845 hours, the reviewing stand, or Orchard Grove cemetery no later than 0930hrs.

We will be flagging the local cemeteries during the week of the 25th. Hopefully with the help of Scout Troop 307 of Kittery.

Please call if you have any questions.

Sincerely, aller It Conter

Allen Carter, Quartermaster

22 Fall Mill Rd.

York, Me. 03909

363-3215

Rice Public Library is seeking permission to have Fort Foster extend their hours of operation until 9:30 PM for the Rice Public Library Family Movie Night.

- Our event will take place Tuesday, August 30, 2016.
- We need to begin setting up at 5:30 p.m., Fun Flicks will arrive at 6:00 pm. The movie will begin after sunset, which should be 7:45 p.m.—8:00 p.m.

We need to be on the fields again this year to allow for the parking necessary to accommodate the number of families attending.

Thank you.

2016 TENTATIVE AGENDA ITEMS

May 9, 2016 - 6:00 pm Workshop - Town Manager's Library Committee to give an update

- Disbursement warrants
- Interim Town Manager presents FY'17 Municipal Budget
- Public Hearing Council votes on School Budget
- Public Hearing Council votes on School Ordinances
- Council schedules June 13th for a public hearing to vote on the FY'17 Municipal Budget
- Discussion/action on the uninhabitable building (Mary's Store) at 40 Old Post Road
- PNSY MOU traffic Gate 2 ?

May 23, 2016

- Disbursement warrants
- Education Scholarship Awards
- Victualer's License Renewals
- Amusement Device Renewals

June 13, 2016

- Disbursement warrants
- Public Hearing Council votes on the FY'17 Municipal Budget
- Public Hearing Town Meeting

June 27, 2016

Disbursement warrants

It does not appear, from the following information regarding this matter, and with the only apparent major protection being "Protection of Cultural Property in the Event of Armed Conflict and international law." Admirable as it certainly is, I don't believe that the Town of Kittery is in a position to pursue.

FROM WIKIPEDIA

WEBSITE: http://whc.unesco.org/en/list/

A World Heritage Site is a place (such as a building, city, complex, desert, forest, island, lake, monument, or mountain) that is listed by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as being of special cultural or physical significance. The list is maintained by the international World Heritage Program administered by the UNESCO World Heritage Committee, composed of 21 UNESCO member states which are elected by the General Assembly.

The program catalogues, names, and conserves sites of outstanding cultural or natural importance to the common heritage of humanity. Under certain conditions, listed sites can obtain funds from the World Heritage Fund. The program was founded with the Convention Concerning the Protection of the World's Cultural and Natural Heritage, which was adopted by the General Conference of UNESCO on 16 November 1972. Since then, 191 states parties have ratified the Convention, making it one of the most adhered to international instruments. Only Liechtenstein, Nauru, Somalia, South Sudan, Timor-Leste, and Tuvalu are not Parties to the Convention.

As of July 2015, 1031 sites are listed: 802 cultural, 197 natural, and 32 mixed properties, in 163 states parties. According to the sites ranked by country, Italy is home to the greatest number of World Heritage Sites with 51 sites, followed by China (48), Spain (44), France (41), Germany (40), Mexico (33), and India (32).

While each World Heritage Site remains part of the legal territory of the state wherein the site is located, UNESCO considers it in the interest of the international community to preserve each site.

A country must first inventory its significant ethical and natural properties; the result is called the Tentative List. A country may not nominate properties that have not been included on the Tentative List. Next, it can place properties selected from this list into a Nomination File.

The Nomination File is evaluated by the International Council on Monuments and Sites and the World Conservation Union. These bodies then make their recommendations to the World Heritage Committee. The Committee meets once per year to determine whether or not to inscribe each nominated property on the World Heritage List and sometimes defers the decision to request more information from the country which nominated the site. There are ten selection criteria - a site must meet at least one of them to be included on the list

Cultural criteria

"represents a masterpiece of human creative genius and cultural significance"

"exhibits an important interchange of human values, over a span of time, or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning, or landscape design"

"to bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared"

"is an outstanding example of a type of building, architectural, or technological ensemble or landscape which illustrates a significant stage in human history"

"is an outstanding example of a traditional human settlement, land-use, or sea-use which is representative of a culture, or human interaction with the environment especially when it has become vulnerable under the impact of irreversible change"

"is directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance"

Natural criteria

"contains superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance"

"is an outstanding example representing major stages of Earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features"

"is an outstanding example representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems, and communities of plants and animals"

"contains the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation"

Legal status of designated sites

UNESCO designation as a World Heritage Site provides prima facie evidence that such culturally sensitive sites are legally protected pursuant to the Law of War, under the Geneva Convention, its articles, protocols and customs, together with other treaties including the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and international law.

Thus, the Geneva Convention treaty promulgates:

- "Article 53. PROTECTION OF CULTURAL OBJECTS AND OF PLACES OF WORSHIP. Without prejudice to the provisions of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954,' and of other relevant international instruments, it is prohibited:
- (a) To commit any acts of hostility directed against the historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples;

BEERS - APRIL 12, 2016 – REPSONSE TO Ms. JOHNSON – UNESCO WORLD HERITAGE SITE REQUEST

- (b) To use such objects in support of the military effort;
- (c) To make such objects the object of reprisals."